

**TROY LAW, PLLC**

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December 21, 2020

**Via ECF**

Hon. Lorna G. Schofield, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: Plaintiff's First Letter Motion Requesting Extension of Time to File Motion for Conditional Collective Certification:**

*Kuokwing Wu v. Eight Oranges, Inc., d/b/a The Bao, et al. 20-cv-5786 (LGS)*

Your Honor,

We represent the above named Plaintiff in the above mentioned case. We write to respectfully request the Court to extend the time to file Plaintiff's anticipated motion for conditional collective certification from December 21, 2020 to January 08, 2021. We reached out to Defense counsel requesting their consent but as of filing of this letter, we have not yet received any response. This is Plaintiff's first request for extension of time to move for conditional collective certification and granting such request will not prejudice any party.

On December 03, 2020, Your Honor Ordered Plaintiff to file their anticipated motion for conditional collective certification by December 21, 2020. However, we have made multiple attempts to reach Plaintiff Wu, and is currently unable to reach Plaintiff Wu. We sincerely apologize for making an eleventh-hour request, but we have been duly trying to reach Plaintiff Wu, to submit the Plaintiff's motion for conditional collective certification by the scheduled deadline. In light of the upcoming holiday season, the proposed deadlines are appropriate for the Plaintiff to make sufficient attempts to reach Plaintiff prior to reporting to this Court.

Accordingly, we propose to revise the briefing schedule for Plaintiffs Motion for Conditional Collective Certification as follows:

<b>Original Deadline to Move for MCCC</b>	<b>Proposed Deadline for Moving for MCCC</b>
December 21, 2020- Plaintiff to file MCCC Opening Brief	January 08, 2021- Plaintiff to File MCCC Opening Brief
January 08, 2021- Defendants to Oppose Plaintiffs MCCC	January 26, 2021- Defendants to Oppose Plaintiffs MCCC
January 15, 2021- Plaintiff to file Reply in support of MCCC	February 02, 2021- Plaintiff to file Reply in support of MCCC

For all the foregoing reasons, we respectfully request that the court adopts the above

proposed briefing schedule and extend Plaintiff's time to file motion for conditional collective certification to January 08, 2020 from December 21, 2020.

We sincerely apologize for any inconvenience caused to this Court and thank the Court for its time and consideration in this matter.

Respectfully submitted,

TROY LAW, PLLC  
/s/ Aaron Schweitzer  
Aaron Schweitzer  
*Attorney for Plaintiff,*

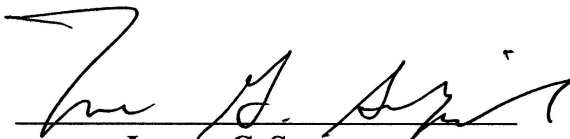
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The application is untimely but is nevertheless **GRANTED**. By **January 8, 2021**, Plaintiff shall file his motion for conditional certification; by **January 26, 2021**, Defendants shall file any opposition; and by **February 2, 2021**, Plaintiff shall file any reply. Pursuant to the Court's Order at Docket No. 32, in lieu of filing an opposition, by **January 26, 2021**, Defendants may confer with Plaintiff and, given the lenient standard for conditional certification, file a joint stipulation to conditional certification and the form of notice, reserving all of Defendants' rights to object to any final certification under the more rigorous standard that applies at that stage.

The motion conference scheduled for January 28, 2021, (Dkt. No. 32), is **ADJOURNED to February 11, 2021, at 10:40 a.m.** The Court will deliver an oral opinion on the motion for conditional certification during the conference. The Court will not hear argument. The conference will be telephonic and will occur on the following conference line: 888-363-4749, access code: 5583333. The time of the conference is approximate, but the parties shall be prepared to begin at the scheduled time. Should Defendants choose to stipulate to conditional certification, the motion conference will be canceled.

Absent extraordinary circumstances, no further extensions will be granted.

Dated: December 22, 2020  
New York, New York

  
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**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**